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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/680,456

10/07/2003

Gunter Koppelkamm

4100-334

4511

27799

7590

11/24/2004

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EXAMINER

EVANS, ANDREA HENCE

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/680,456

Applicant(s)

KOPPELKAMM, GUNTER

Examiner

Andrea H. Evans

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 4 - 12 is/are allowed.
- 6) ☒ Claim(s) 13 and 14 is/are rejected.
- 7) ☒ Claim(s) 15-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/18/04
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

1. Claim 1 and 4-12 are allowed.
2. Claims 15-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. The following is a statement of reasons for the indication of allowable subject matter: Referring to claim 15, the prior art does not teach that the movement mechanism comprises at least one spring element for each tensioning rail, at least one spring element loading the respective tensioning rail toward the tensioning position and at least one push rod displaceable in an axial direction, at least one push rod having cam surfaces which are effective to move and said tensioning rails between positions as at least one push rod is moved axially. Claims 16 and 17 depend on claim 15.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simeth (3858512) in view of Stellberger (6443066).

Referring to claim 13, Simeth teaches a plate cylinder (10) for carrying at least two printing plates (16, 16a) in a printing press (See Figure 4), each said printing plate having a

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leading plate end (17) and a trailing plate end (17) (See Figure 2), said cylinder comprising a cylinder body having an axis; at least two tensioning rails (20,90) for a printing plate, each said tensioning rail being movable between a tensioning position, where the respective printing plate is tensioned on said cylinder body (See Column 5, lines 52-59); and a release position, where the respective printing plate can be released from the cylinder body (See Column 5, lines 1-20); and at least one movement mechanism (50,91) for activating said tensioning rails independently of one another.

Simeth does not teach only one tensioning rail being provided for each printing plate. Stellberger teaches one tensioning rail (26) for a printing plate (See Column 3, lines 15-20). It would have been obvious to one having ordinary skill in the art at the time the invention was made to replace the tensioning mechanism of Simeth with one tensioning rail in order to provide accurate means for tensioning and holding the printing plate as taught by Stellberger.

Referring to claim 14, Simeth teaches tensioning rails aligned in an axial direction in said cylinder body (See Figure 4).

Response to Arguments

6. Applicant's arguments with respect to claims 1 and 4-17 have been considered but are moot in view of the new ground(s) of rejection. Referring to claim 13, Applicant has amended the claim such that "only one said tensioning rail being provided for each printing plate." Examiner has given this phrase its broadest most reasonable interpretation. Stellberger teaches only one tensioning rail (26) for a printing plate. Only element (26) provides tensioning means for the printing plate. (See Column 3, lines 15-40). Applicant may argue that element (24) is a

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tensioning means however element (24) does not provide any tension and only pivots and has no adjustment.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea H. Evans whose telephone number is (571) 272-2162. The examiner can normally be reached on Monday- Friday; 8:30a-5:30p.

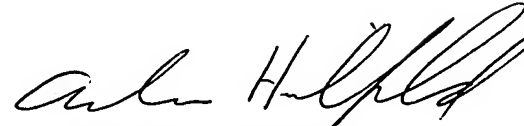
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrea H. Evans

AHE



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